

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

SHELTON BEAMAN,

Plaintiff,

-against-

VALSAC 908, LLC,

Defendant.

22-CV-10912 (LTS)

ORDER OF DISMISSAL

LAURA TAYLOR SWAIN, Chief United States District Judge:

By order dated February 27, 2023, the Court directed the Clerk of Court to close this case administratively because Plaintiff did not file a complaint, pay the filing fees, or submit an application requesting that the fees be waived. Instead, Plaintiff, who was proceeding *pro se*, filed an unsigned order to show cause regarding an eviction notice, possibly issued by Defendant Valsac 908, LLC. In its order administratively closing this action, the Court informed Plaintiff that, should he wish to pursue the relief he requested in the order to show cause, he could move to reopen this action, file a complaint, and either pay the filing fees, or submit an application requesting that the fees be waived.

On June 11, 2023, the court's Clerk's Office received from Plaintiff a complaint brought against Defendant Valsac and James Valentino, who Plaintiff identifies as "owner-landlord," and an application to proceed *in forma pauperis*. *Beaman v. Valentino*, ECF 1:23-CV-4961, 1. Plaintiff, who appears to have been evicted from his apartment, seeks to regain possession. *See id.* at 1. The Clerk's Office opened the action as a new civil action under the docket number 23-CV-4961, and the Court granted Plaintiff's *in forma pauperis* application on June 22, 2022.

As Plaintiff has initiated a new civil action and submitted an application for the fees to be waived in that case, there is no useful purpose in continuing the administrative closing of this

action. Accordingly, the Court dismisses this action without prejudice to Plaintiff's pending action under document number 23-CV-4961.

The Court directs the Clerk of Court to enter judgment in this action.

SO ORDERED.

Dated: June 29, 2023
New York, New York

/s/ Laura Taylor Swain
LAURA TAYLOR SWAIN
Chief United States District Judge